

**Notice of Allowability**

Application No.

09/891,267

Applicant(s)

SHIMIZU, SHUJI

Examiner

Art Unit

Chriss S. Yoder, III

2622

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final Amendment filed 05/08/2007.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

N. Vu  
NGOC-YEN VU  
SUPERVISORY PATENT EXAMINER

## **DETAILED ACTION**

### **NEW EXAMINER OF RECORD**

The prosecution of this application has been transferred to Examiner Chriss S. Yoder, III from the docket of Examiner Gary C. Vieaux. Any inquiry concerning this Office Action or earlier communications should be directed to the current Examiner of record. Current contact information is provided in the last section of this communication.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christopher Tobin on June 18, 2007.

The application has been amended as follows:

Claim 1 (Currently Amended) A device for controlling an exposure of an electronic camera, said camera being mounted on an electronic apparatus having a display screen and the camera being capable of setting a photographing direction to at least a forward direction or a rearward direction relative to the front of said display screen, said device comprising:

exposure detecting means for generating exposure detection information indicative of the average magnitude of ~~said~~ video signals of a photographed image based on video signals generated by the electronic camera,

exposure adjusting means for adjusting the exposure of the electronic camera based on said exposure detection information generated by said exposure detecting means,

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first and second camera support means for rotating the electronic camera in a plane perpendicular to and in a plane that vertically extends from the display of the electronic apparatus,

photographing direction detecting means for outputting a corresponding direction detection signal when the photographing direction of the electronic camera is set to the rearward direction,

wherein said exposure detecting means logically divides one photographed image according to first and second patterns, and in the division by said first pattern, divides said photographed image into an upper area and a lower area to generate first exposure detection information relatively strongly reflecting the magnitude of said video signal corresponding to said lower area, and in the division by said second pattern, divides the photographed image into a central area and a peripheral area to generate second exposure detection information relatively strongly reflecting the magnitude of the video signal corresponding to said central area,

wherein said first and second camera support means are respectively located on a first end and a second end of the electronic camera,

wherein said photographing direction detecting means is adjacent to said first camera support means,

said exposure adjusting means adjusts the exposure of the electronic camera on the basis of said first exposure detection information when said photographing direction detecting means outputs said direction detection signal,

wherein said exposure adjusting means adjusts the exposure of the electronic camera on the basis of said second exposure detection information when the photographing direction detecting means does not output a direction detection signal, which occurs when the photographing direction is rotated on said first and second camera support means in a range of  $\theta_f$  corresponding to said forward direction,

wherein said photographing direction detecting means outputs the direction detection signal only when the photographing direction is rotated on said first and second camera support means in a range of  $\theta_b$  corresponding to said rearward direction, and

wherein the total range of  $\theta_f$  and  $\theta_b$  is approximately 180 degrees, and the range of  $\theta_f$  is approximately 60 degrees, such that the photographing direction is in the range of  $\theta_b$  when it is about 60 degrees or more away from the front of said display screen.

### ***Allowable Subject Matter***

**Claims 1-13** are allowed.

The following is an examiner's statement of reasons for allowance:

A claim limitation will be presumed to invoke 35 U.S.C. 112, sixth paragraph, if it meets the following 3-prong analysis:

- (A) the claim limitations must use the phrase “means for” or “step for”;
- (B) the “means for” or “step for” must be modified by functional language; and
- (C) the phrase “means for” or “step for” must not be modified by sufficient structure, material, or acts for achieving the specified function.

In light of the limitations presented by independent claim 1, examined under the 35 U.S.C. 112 sixth paragraph standards, the prior art is not found to teach or fairly suggest, a device for controlling an exposure of an electronic camera, said camera being mounted on an electronic apparatus having a display screen and the camera being capable of setting a photographing direction to at least a forward direction or a rearward direction relative to the front of said display screen, said device comprising exposure detecting means for generating exposure detection information indicative of the average magnitude of said video signals of a photographed image based on video signals generated by the electronic camera, exposure adjusting means for adjusting the exposure of the electronic camera based on said exposure detection information generated by said exposure detecting means, first and second camera support means for rotating the electronic camera in a plane perpendicular to and in a plane that vertically extends from the display of the electronic apparatus, photographing direction detecting means for outputting a corresponding direction detection signal when the photographing direction of the electronic camera is set to the rearward direction, wherein said exposure detecting means logically divides one photographed image

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according to first and second patterns, and in the division by said first pattern, divides said photographed image into an upper area and a lower area to generate first exposure detection information relatively strongly reflecting the magnitude of said video signal corresponding to said lower area, and in the division by said second pattern, divides the photographed image into a central area and a peripheral area to generate second exposure detection information relatively strongly reflecting the magnitude of the video signal corresponding to said central area, wherein said first and second camera support means are respectively located on a first end and a second end of the electronic camera, wherein said photographing direction detecting means is adjacent to said first camera support means, said exposure adjusting means adjusts the exposure of the electronic camera on the basis of said first exposure detection information when said photographing direction detecting means outputs said direction detection signal, wherein said exposure adjusting means adjusts the exposure of the electronic camera on the basis of said second exposure detection information when the photographing direction detecting means does not output a direction detection signal, which occurs when the photographing direction is rotated on said first and second camera support means in a range of  $\theta_f$  corresponding to said forward direction, wherein said photographing direction detecting means outputs the direction detection signal only when the photographing direction is rotated on said first and second camera support means in a range of  $\theta_b$  corresponding to said rearward direction, and wherein the total range of  $\theta_f$  and  $\theta_b$  is approximately 180 degrees, and the range of  $\theta_f$  is approximately

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60 degrees, such that the photographing direction is in the range of  $\theta_b$  when it is about 60 degrees or more away from the front of said display screen.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (571) 272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CSY  
June 18, 2007

A handwritten signature in black ink, appearing to read 'Ngoc-Yen Vu', with a long horizontal flourish extending to the right.

NGOC-YEN VU  
SUPERVISORY PATENT EXAMINER